

## **AML ADVISORY COMMITTEE**

### **Minutes**

### **Semi-Annual Meeting**

**April 18, 2011**

A regular meeting of the AML Advisory Committee was called to order at the DMME Big Stone Gap office at 1:30 p.m.

Present: Jerry Baird, Chairman, citizen; Glenn Graham, Lonesome Pine Soil and Water; Ian Dye, Office of Surface Mining; Phil Shelton, citizen; Roger Williams and Richard Davis, Department of Mines, Minerals, and Energy.

Absent: Carol Doss, Upper Tennessee River Roundtable; Gerald Ramsey, Consolidation Coal; Martha Podren, TVA; Eddie Hannah, Lonesome Pie Soil and Water; Jeff Jones, NRCS.

Minutes were transcribed by Dawn F. Bays.

Jerry Baird presided. Jerry opened the meeting with a discussion of the minutes of the previous meeting. The minutes of the September 7, 2011, meeting were approved unanimously.

#### **DMLR Program Update – Roger Williams**

Roger discussed the ongoing obligation of AML funding issue and gave a slide presentation that was prepared by OSM and given to the AML program states at the recent AML conference. The economic downturn in the country's overall economy has led to close examination by all federal agencies of how non-federal grant recipients are using AML moneys. This analysis has focused on what are termed "undelivered orders", which is basically money that has been made available to non-federal recipients but not yet (apparently) spent. Recently, state/tribal AML programs have been collectively chastised for not "spending" the increased level of funding made available starting in 2008. "Spending" in this case is synonymous with "reimbursed by" the federal granting agency. As the granting agency, the Office of Surface Mining is able to see only the dollars awarded, and the dollars reimbursed. Charts showing the "undelivered orders" on a national basis and for certified and uncertified states were presented.

The National Association of Abandoned Mine Land Programs (NAAML) felt that demonstrating the success of state and tribal programs in adapting to the increased funding that was provided by the 2006 amendments to SMCRA was necessary. The Association formed an Ad Hoc Committee on Grant Funding, Expenditures and Obligations at its annual meeting in October 2011. A summary of this committee's work was presented that revealed a completely different story. The committee analysis demonstrates the success of the state and tribal programs to effectively commit the increased AML funds. "Committed funds" are defined as those moneys that are exclusively applied to or reserved for a specific project or purpose, and are thus unavailable for any other purpose. As one example, a "normal" contract to reclaim an AML problem area requires months of design, interagency review and coordination; a lengthy bidding and contracting period; completion of the actual construction work; and finally draw down or reimbursement of funds from the federal granting agency. Some contracts can extend for multiple months or even years. The important take away from this however is that the entire amount of funding for all aspects of the project is committed on day one, when the project is selected for reclamation. Thus, committed funds, and not "undelivered orders" is the proper metric to measure the progress of AML programs in effectively using the funds.

Committee members asked several questions about how AML moneys are received and Roger explained the federal grant and drawdown process.

### **Midlothian Mines Park Project**

Roger gave an overview of the proposed AML work planned for the joint DMME/Chesterfield County Midlothian Mines Park Project in Midlothian, VA. Final designs for the reclamation of the mine hazard features is currently underway and we hope to have this work completed by summer. Plans are to go out for construction bids late summer or early fall this year.

### **Norton Park Avenue Highwall Project**

Roger gave a Power Point presentation that the City of Norton had put together on the joint Safe Routes to Schools (SRTS) and Park Avenue AML Highwall project. Final designs for construction of the project are almost complete and bid packages should go out later this year. A summary of the problems and proposed work for this approximately \$3 million project were presented.

### **Richard Davis**

Richard updated the committee on two recruitments for AML personnel. A recruitment notice for an AML design engineer expired on April 6, and a recruitment notice for an AML program specialist expired on April 13. Filling these two positions will help us advance the additional projects for our 2012 AML Consolidated Grant. AML is also getting some design assistance from a part-time engineer, and two OSM AmeriCorps volunteers.

DMME received a record AML grant of \$11.3 million on April 1, 2012. The agency will have a few large budget projects to go along with numerous small budget projects.

Richard also noted that Randy Casey is now the Director of the Division of Mined Land Reclamation. Randy had to be on leave today, otherwise he would be attending the committee meeting.

### **Jeff Jones – NRCS Program Update**

Jeff was unavailable for the meeting due to the unexpected death of his father-in-law.

### **Committee Business**

Roger Williams discussed our notification process of meetings. E-mails are sent as notification of upcoming meetings, member need to respond as to whether they will be attending or not. Also, a suggestion was made to forward a copy of the minutes in the e-mail meeting notifications. The next meeting will be at the Powell River Project in September. A date has not been determined at this time.

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Roger L. Williams  
DMME Abandoned Mine Land Services Manager

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